

the fiscal year 2007 Defense appropriations bill, S.A. 4911 to H.R., 5631, with Senator REED to restore full funding for Predator unmanned aerial vehicles, UAVs, for the U.S. Special Operations Command, SOCOM. This amendment will allow SOCOM to receive its full complement of Predators by 2010 by adding \$64.4 million to the fiscal year 2007 Defense appropriations bill.

Our brave troops and intelligence collectors must have the tools they need to find, fix and eliminate terrorists intended to do our Nation harm. The Predator, which comes in armed and unarmed modes and has advanced sensors and cameras, is one of the most important systems we have to monitor terrorist activity in hostile environments. The Predator also is a critical intelligence gathering platform in fighting insurgents in Iraq and the Taliban in Afghanistan. According to Defense News, the Predator was central to the detection and killing of Abu Musab al-Zarqawi in Iraq this past June.

I have been pleased to fight for putting more Predators in the hands of our Special Operations Command ever since U.S. Special Operations Command Deputy Commander Eric Olson responded to my question about whether he had all the tools he needs to win the war on terror in an April 6, 2006, hearing of the Senate Armed Services Committee's Emerging Threats and Capabilities Subcommittee. Admiral Olson said his command did not have enough Predators, and was not slated to have adequate numbers of Predators for several years. This is unacceptable, and I expressed my concern to Chairman WARNER and Ranking Member LEVIN in an April 27, 2006, letter urging committee action on this shortcoming.

I was equally pleased that the Senate Armed Services Committee adopted my amendment calling for full funding of the Predators for the Special Operations Command during mark-up of the fiscal year 2007 Defense authorization bill.

Unfortunately, defense appropriators cut back funding for Predators in its mark-up of the fiscal year 2007 Defense appropriations bill. My amendment restores full funding for a second squad of Predators for our Special Operations Forces' war-fighters and intelligence collectors by 2010. Giving our military and our intelligence personnel the best tools, as quickly as possible, to win the war on terror is something we must do.

#### COMBATING GUN TRAFFICKING

Mr. LEVIN. Mr. President, I have long supported law enforcement's efforts to combat gun trafficking. Earlier this summer, 11 people were charged with purchasing firearms in gun shops in Virginia and illegally dumping them on the streets of New York City between 2004 and 2005. These arrests bring attention to the need to vigorously enforce our gun laws in order to stem the flow of guns to the black market.

These individuals have been charged with making straw purchases of handguns at various gun shops in Norfolk and Portsmouth, VA, and transporting them to New York City, where they were allegedly sold on the streets at a significant markup. Straw purchases are transactions that violate Federal law in which one individual submits to the required Federal background check for a gun that is clearly intended for use by someone else. Such purchasers play a crucial role in the illegal trafficking of guns by purchasing with the intention of reselling them to prohibited buyers. The alleged conspiracy, which took place from September 2004 through June 2005, was first uncovered in 2004 when New York City police officers began making undercover purchases of firearms from this organization on the streets. The guns were traced back to gun shops in Virginia where the original straw purchases are said to have taken place. More than 50 guns were involved.

Gun trafficking has also been a problem in my home State of Michigan. According to an Americans for Gun Safety analysis of ATF trace data from 1996–1999, over 40 percent of the guns traced to crimes committed in Michigan in 1998 and 1999 originated in other States, a much higher rate than the national average. The largest number of out of State suppliers of guns to Michigan during that period were in Ohio, Kentucky, Georgia, and Alabama.

These statistics demonstrate the length to which criminals are willing to go to circumvent our gun laws. This kind of activity can be stopped by vigorously enforcing our gun laws, providing law enforcement with stronger tools to crack down on gun trafficking, on corrupt gun dealers and other armed criminals, and by passing sensible gun safety legislation.

I commend the hard work of the Bureau of Alcohol, Tobacco, Firearms and Explosives and other Federal, State and local law enforcement officers. Vigorous law enforcement is an integral part of reducing gun violence.

#### IN MEMORIAM OF CONGRESSMAN BOB MATHIAS

Mrs. BOXER. Mr. President, today I rise to honor the life of Congressman Robert "Bob" Mathias Olympian, Congressman, and San Joaquin Valley son. Congressman Bob Mathias passed away on September 2, 2006.

Bob Mathias was born in Tulare, CA, on November 17, 1930. Mr. Mathias attended and graduated from Tulare Union High School in 1948. In 1953, he graduated with his bachelor of arts degree from Stanford University, and in 1954 he enlisted in the U.S. Marine Corps, where he rose to the rank of second lieutenant. In 1966, he was elected to the U.S. House of Representatives for the 18th Congressional District that also included his hometown of Tulare, and continued his service until 1974.

By all accounts such impressive accomplishments would be considered aspects of a fruitful life. However, Mr. Mathias was also a gifted athlete. Mr. Mathias' athletic career was laden with accomplishments, including consecutive gold medals in the Olympic decathlons, four national Amateur Athletic Union—AAU—championships, and three world records in the decathlon. Seventeen-year-old Bob Mathias first competed in the 1948 London Summer Olympics, only months after picking up the sport. He became the youngest Olympic gold medalist, winning the decathlon. His meteoric rise in 1948 led to his depiction on the cover of LIFE magazine and the Sullivan Award for Athlete of the Year from the AAU. At the 1952 Helsinki games, Mr. Mathias again won the gold medal in the decathlon, and continued to make history as the first person to ever win consecutive Olympic decathlons. That same year Bob Mathias was named the Associated Press Male Athlete of the Year recognition of his feats on the track and on the football field. Mr. Mathias was also a member of the 1952 Stanford football team, playing an integral part of that team that went on to the 1952 Rose Bowl.

His athleticism and accomplishments earned him a place in the U.S. Olympic Hall of Fame, as well as the National Track and Field Hall of Fame. He also went on to guide younger generations of athletes as the Director of the U.S. Olympic Training Center in Colorado Springs, the National Fitness Foundation, and the American Kids Sports Association.

Throughout his life, Congressman Mathias remained a humble man, true to his roots, dedicated to his family and his country, unfazed by fame. As a young child, Mr. Mathias battled anemia and other illnesses. His perseverance in athletics and academics despite these problems no doubt prepared him for his work later in life. After his athletic career and service in the Marine Corps, Bob Mathias served as a goodwill ambassador for youth programs on behalf of the U.S. Department of State. His service to his country continued in his dedication to the constituents of the 18th Congressional District.

Congressman Mathias is survived by his wife Gwen; his 4 daughters, Romel, Megan, Marissa, and Alyse; his son Reiner; his 10 grandchildren; his sister Patricia; and his two brothers, Jim and Eugene. I extend my deepest sympathies to his family.

Congressman Mathias will be missed by his family, his friends, his fans and all those whose lives he touched. May his kindness, humility and hard work remain an inspiration to us all.

#### FASD AWARENESS DAY

Ms. MURKOWSKI. Mr. President, tomorrow is the ninth day of the ninth month, a day designated as International Fetal Alcohol Spectrum Awareness Day. I rise today to state

that it is imperative that we continue to spread the word that no amount of alcohol is safe to consume during the 9 months of pregnancy. By continuing to raise awareness, we can hopefully minimize the harm that drinking during pregnancy causes our most vulnerable population—our children.

In February of 1999, a small group of parents, raising children afflicted with fetal alcohol spectrum disorders, set out to change the world. That small group started a support group which quickly became a worldwide grassroots movement to observe September 9 as International Fetal Alcohol Spectrum Disorders Awareness Day. This year, for the eighth consecutive year, events are occurring in cities and towns not just across the country but around the world.

In my State of Alaska, I am proud that events are occurring in Juneau, Anchorage, and Fairbanks. Citizens from my State are raising awareness about the dangers of drinking during pregnancy through a variety of events, such as passing out brochures with preventative messages to physicians' offices, delivering cocktail napkins to area bars with a message stamped on them that reminds pregnant women to not drink, and conducting high school assemblies which teach students about the dangers of alcohol on the developing fetus.

As we all know, FASD is 100 percent preventable, yet it remains a leading cause of nonhereditary mental retardation in the United States. Many children affected by maternal drinking during pregnancy have irreversible conditions—including severe brain damage—that cause permanent, lifelong disability.

Every year in America, an estimated 1 in every 100 babies is born with FASD—that is 40,000 infants. FASD affects more children than Down syndrome, cerebral palsy, spina bifida and muscular dystrophy combined.

In Alaska, we sadly continue to have the highest rate of FASD in the Nation. Approximately 163 Alaskan babies are born each year affected by maternal alcohol use during pregnancy. Among our Native communities, the rate of FASD can be 15 times higher than non-Native areas in the State.

Despite these troubling figures, FASD is still widely under diagnosed, misdiagnosed, or not diagnosed at all. Diagnosis is critical because many persons with FASD can overcome learning and behavioral problems and succeed but only with appropriate health, social, and educational resources.

The cost of FASD is high—more than \$3 billion each year in direct health care costs. The indirect financial and social costs are also great—including the cost of specialized health care, education, job training, and general support services.

That is why prevention is so imperative. Prevention of FASD is seven times more cost effective than treating the disorder. But more importantly,

abstaining from alcohol during pregnancy will save a family a lifetime of heartache and will prevent the greatest loss of all that of human potential.

Senator TIM JOHNSON and I have introduced the Advancing FASD Research, Prevention, and Services Act. Our bill will develop targeted State and community-based outreach programs and will improve current support services for families who are living with FASD. It will also improve coordination among Federal agencies involved in FASD treatment and research by establishing stronger communication with these programs. Lastly, it will strengthen educational outreach efforts to doctors, teachers, judges, and others whose work puts them in contact with people with FASD. I ask my colleagues to support the Advancing FASD, Research, Prevention and Services Act.

Mr. President, tomorrow, on Fetal Alcohol Awareness Day, let us pause to remember the innocent babies inflicted with this disorder and then let us imagine the potential that these babies could have attained but for the damage done by alcohol.

#### CONGRESS MUST STRENGTHEN WHISTLEBLOWER PROTECTIONS

Mr. AKAKA. Mr. President, as a conferee to the fiscal year 2007 National Defense Authorization Act, I urge my fellow conferees to retain the Senate's strong whistleblower protections for federal employees. The Senate bill includes an amendment I offered with Senator COLLINS that mirrors our bipartisan measure, S. 494, the Federal Employee Protection of Disclosures Act. S. 494 and the amendment have strong bipartisan support in the Senate. In the House, Representatives TOM DAVIS and HENRY WAXMAN, the chairman and ranking member of the House Government Reform Committee, and Representative TODD PLATTS, the sponsor of companion legislation to S. 494, have asked Representative DUNCAN HUNTER, chairman of the House Armed Services Committee, to include strong whistleblower protections in the final defense authorization bill.

The Senate action was a significant step forward for Federal whistleblowers and the American taxpayer. Congress must assert its original intent of the Whistleblower Protection Act, WPA, which protects Federal employees who disclose any waste, fraud, and abuse. Congress encourages such disclosures, which save lives and taxpayer dollars, and has repeatedly said that the courts should not erect barriers to disclosures which limit the flow of information from Federal employees who may have knowledge of government wrongdoing.

We have all heard of the brave men and women who have come forward at great personal risk to report cases of waste and threats to public safety. Examples include: Mr. Richard Foster, Medicare's chief actuary, who disclosed to Congress that the actual cost of the

Medicare reform bill was \$156 billion more than what the Bush administration told us. He was prohibited by his supervisors from alerting Congress to this huge discrepancy prior to the bill's enactment and was threatened with firing if he did so; U.S. Border Patrol Agents Mark Hall and Bob Lindemann, who disclosed security lapses along our northern border, including a lack of staff, equipment, and detention facilities. As a result, their supervisors proposed 90-day suspensions and demotions for 1 year; and Mr. Donald Van Winkle, an air-monitoring technician at the Bluegrass Army Depot in Kentucky, who revealed serious operational failures with monitors used to detect leaks of chemical warfare agents. As a result of this disclosure, Mr. Van Winkle lost his security clearance, thus denying him the ability to continue his job. Unfortunately, current law does not provide any independent review for this type of retaliation.

This spring, the Supreme Court ruled that the first amendment does not protect public sector employees, including Federal workers, from retaliation when disclosing government wrongdoing as a part of their official duties. Instead, the Court held that protection is left to State and Federal whistleblower laws. Unfortunately, Federal whistleblower protections have been watered-down by repeated decisions by the Federal Circuit Court of Appeals which ignore clear congressional intent that disclosures are protected without restriction to time, place, form, motive, or context, including disclosures made during the ordinary course of an employee's job.

As a result of various court decisions, honest employees have been denied protection from retaliatory practices. In fact, only one federal whistleblower has won on the merits of their claim before the Federal Circuit in the past 12 years. This egregious lack of employee protection has a serious chilling effect on good faith whistleblowing. Although President Bush issued a memo in 2001 requiring Federal employees to disclose waste, fraud, and abuse, the decisions of the Supreme Court and the Federal Circuit Court of Appeals have eroded protections for disclosures and placed Federal workers in a no-win situation. Congress must take action now to restore the protections granted by the WPA.

My amendment will: clarify congressional intent that Federal employees are protected for any disclosure of waste, fraud, or abuse—including those made as part of an employee's job duties; provide an independent determination as to whether the loss or denial of a security clearance is retaliation against a whistleblower; and suspend the Federal Circuit's sole jurisdiction over Federal employee whistleblower cases for 5 years.

Congress has the responsibility to guarantee strong and meaningful protections for Federal whistleblowers.